

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

PATRICK ADGER, ID # 2048709,)
Petitioner,)
vs.) No. 3:19-CV-1772-M (BH)
LORIE DAVIS, Director,)
Texas Department of Criminal)
Justice, Correctional Institutions Division,)
Respondent.) Referred to U.S. Magistrate Judge¹

ORDER

Before the Court is the *Petition for A Writ of Habeas Corpus by a Person in State Custody*, received August 13, 2019 (doc. 6). On July 26, 2019, it was recommended that the petitioner's prior *Motion for Extension of Time In Pursant [sic], 2254(A) Hebaus [sic] Corpus Writ*, received July 25, 2019 (doc. 3), be dismissed for lack of subject matter jurisdiction, unless he either filed a motion to proceed *in forma pauperis* or pays the \$5 filing fee *and* submitted a habeas petition on the appropriate form within the fourteen-day period for objecting to the recommendation, or by some other deadline set by the Court. Because the petitioner has now filed a petition, and the July 26, 2019 findings, conclusions, and recommendation have not yet been accepted, they are hereby VACATED.

SIGNED this 14th day of August, 2019.


IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE

¹ By *Special Order No. 3-251*, this habeas case was automatically referred for full case management, including determination of non-dispositive motion and issuance of findings of fact and recommendations on dispositive motions.